

# New Haven Gets Voice Again in Boston & Maine

## Daugherty Appears Here in Court and Gives Government Consent to Modification of Dissolution Decree

### Blocks N. Y. Central Plan

#### Necessity of New England Roads Standing Together Emphasized at Hearing

Attorney General Harry M. Daugherty appeared before Judge Julius M. Mayer in Federal Court yesterday to give the government's consent to the modification of the dissolution decree entered with the consent of the New York, New Haven & Hartford Railroad in 1913 to break up the company's alleged monopoly of New England transportation. At that time the Boston & Maine shares held by the New Haven were placed in the hands of trustees, to be held for a limited period, since extended, until they could be profitably sold. Until the sale could be arranged the trustees were ordered to disregard the wishes of the New Haven in voting for Boston & Maine directors. Judge Mayer yesterday instructed them to vote for the nominees of the former corporation hereafter.

#### Blocks New York Central Plan

E. G. Buckland, vice-president of the New Haven, declared on the witness stand that his company had applied for the modification only when it was learned in February that a committee representing the holders of the first preferred Boston & Maine stock had approached A. H. Smith, president of the New York Central, with a proposal that he become chairman of the board of the Boston & Maine. This Mr. Buckland interpreted as a move for a rapprochement between these two systems, and at the close of the hearing he declared that the chief importance of Judge Mayer's decision in its ruling impossible such a development.

Discussing the probable results of an understanding between the Central and the Boston & Maine, Mr. Buckland pointed out to the court that the latter might be diverted to the latter line if Mr. Smith became head of the Boston & Maine. He laid more emphasis, however, on the assertion that the threatened rapprochement would break up the concept of New England roads and make it impossible for them to present a united front in defense of their common interests. He mentioned the legal steps these lines have united to take to obtain a larger share of the return on through freight and declared that New England, with its position on the coast, had interests largely conflicting with those of the railroads west of New York.

#### No Longer Majority Stockholder

Both Mr. Buckland and Mr. Daugherty stressed the fact that whereas in 1913 the New Haven held 52 per cent of the Boston & Maine stock, this proportion had since been reduced to 28 per cent by a reorganization whereby the Boston & Maine capitalization was almost doubled by the issuing of new shares in exchange for the stock in subsidiary lines formerly operated by the Boston & Maine as a holding company or on leases. Judge Mayer agreed that as much as the New Haven had ceased to be the majority stockholder the need of its exclusion from all control of the Boston & Maine has been largely dispelled.

The Attorney General not only discussed the change in conditions since 1913, but added that he had a pronounced opinion on what he himself would have done at that time if called

upon to file the original bill asking for the dissolution. He did not amplify this statement, but declared that the government's present policy is "to mind its own business" and to exercise a proper supervision over the railroads without attempting to run them.

#### Election Next Tuesday

Mr. Daugherty declared that he did not know of any rule of conscience, law or equity which justified the confiscation of the New Haven's right to vote for B. & M. directors. The next election will be held Tuesday. Henry P. Day, one of the trustees for the New Haven's stock, and Attorney General Allen of Massachusetts opposed the modification on the ground that the consent of the Massachusetts, New Hampshire and Maine Legislatures to the Boston & Maine reorganization had been obtained largely on the strength of the supposedly absolute divorce of the New Haven from the management. C. V. Crocker, representing the minority creditors committee, took a similar position, asserting that stockholders had gone into the reorganization in the same belief. Judge Mayer refused to be bound by these representations. He requested the attorneys for the New Haven and the trustees to confer with the court and a representative of the Attorney General on the terms of the proposed modification decree.

# Union Funds Used To Arm Strikers. Witnesses Swear

## Testimony at Blizzards Trial Refers to Checks Drawn Ostensibly to Buy Weapons for Marching Miners

CHARLESTOWN, W. Va., May 12.—By The Associated Press. The part union finances were alleged to have played in the miners' march which terminated at the battle line of the Logan County border, came in from time to time in today's testimony by which the State seeks to support a charge of treason against William Blizzards, a union official. Testimony of the use of union funds and of funds obtained in other ways by union men was offered, but met with occasional setbacks when contested by the defense.

Direct testimony that two checks totaling \$1,000 were drawn on the funds of the Monaca local of the United Mine Workers to supply union members with weapons, was adduced by Cleve Holt, former treasurer of the local. The intention, as expressed by the men for fear of whom he had to sign the checks, he said, was to buy guns for which the money was to be returned by union members. He bought one rifle which he gave to another man, and himself repaid to the treasury the \$32 it cost, he declared.

That the appropriation of this money was not in accordance with the constitution of the union was the point of much of the cross-examination of this witness, from whom it was brought out that no action was taken on the use of the money at any meeting of the union.

The court sustained a defense motion to strike out testimony of Holt concerning another sum of \$600, collected among members of the local but apparently not a part of the union activities. A check on which one of the indorsements read "OK, Mrs. Fred Morney," was introduced. Dr. W. F. Harless of Clothier, testifying that armed union men forced him to give the check, but that he stopped payment as soon as they left and that he had been told by the bank on which it was drawn that it had been made good by the United Mine Workers.

John Brown, a mountaineer, testified that at a meeting of the union in Blair Jim Morrison, president of the local, after declaring the men would "go on anyhow" in spite of being turned back by district officers, called for all the funds in the treasury.

Witnesses told of activities behind the miners' lines. One of them, C. G. Williams, of Sharples, related that he saw Blizzards there on September 3 and that men who pointed out the young official said, "That's the man, we take orders from."

# Arbitration Court Ready For the Poor

(Continued from page one)

Emerson McMullin, banker and president of the American Light and Traction Company, president; Samuel Cune Lindsay, of Columbia University, president of the New York Academy of Political Science; and Mr. Grossman, vice-president; Jules S. Bache, banker, of Jules S. Bache & Co., treasurer; J. W. Slaght, formerly a newspaper man, executive secretary, and J. Noble Braden, secretary. The board of governors consists of the following President: McMullin, Justice Guy, Mr. Grossman, Mr. Bache, Mr. Lindsay, Mr. Redfield, General Samuel McRoberts, president of the Metropolitan Trust Company; James A. O'Gorman, Frederic Kennoch, chief justice of the Court of Special Sessions; William B. Joyce, president of the National Surety Company; Almet P. Jenks, Frank H. Sommer, dean of the University of New York Law School; Thomas L. Parkinson, vice-president of the Equitable Life Assurance Company; Harlan F. Stone, dean of Columbia University Law School; Robert Grier Cooke, president of the Fifth Avenue Association; Franklin Simon, H. H. De Liser, president of the Broadway Association; Robert Lee Hatch, president of the Rotary Club of New York; David A. Schulte, president of the Schulte Clear Stores, and Henry Ives Cobb, architect.

#### Plan Wins Approval

Among those who spoke in praise of the new undertaking in arbitration of "all save criminal and divorce cases" were: Federal Judge Edwin L. Garrison, Municipal Court Justice Edgar J. Lauer, United States District Judge Julian W. Mack, Charles S. Whitman, Mr. Redfield and Mr. Grossman. Nearly every kind of business, professional and industrial activity is represented in the council of the society and was represented at the meeting when announcement of the new tribunal was made.

Judge Mack said there were two points to be made. The American Bar Association which would be advanced at the convention in August. One of the purposes of the new tribunal was to bring about the enactment of uniform arbitration laws in all states, which he said would make possible the establishment of similar tribunals over the country, and another which will provide to Congress Federal legislation to give similar relief to the Federal courts.

He warned the Arbitration Society of America not to include in its list of industrial disputes at this time. There were plenty of other cases of a business or civil nature to give the new tribunal a chance to prove itself.

He made it clear, however, that the incorporation of the society means a real achievement in the history of the American judiciary. There were many times, he said, when a judge finds it impossible to dispense with or decide litigation other than in accordance with the formula or technicalities of law.

#### Cuts Much Red Tape

Speakers also stressed the elimination of the necessity of calling new trials, reversing decisions, making appeals, impaneling of juries and the calling of numerous witnesses, all a burdensome expense to the state and at the cost of weeks, months or years of time in settling a matter at issue.

The chance of perjury also is greatly done away with under the plan.

"Disputants applying at this tribunal will only have to sign an agreement to arbitrate," says the announcement of plans. "All arrangements for the services of an arbitrator, the time of hearings, summoning witnesses, assignment of a special court room, etc., will be made by the society. All that the disputants will have to do is to agree to a settlement of their controversy by one or more arbitrators selected by themselves as worthy of full confidence."

"Disputants can bring their controversies to this tribunal, knowing that if the hearing involves a revelation of confidential matters, trade secrets and the like, there will be no damaging publicity, no publicity beyond the title of the case and the award as they will appear on the formal records of the court."

In a court of law, litigants are limited to the particular judge and the particular jury provided. But in the

# State Troops Guard Brickyards Where 1,800 Negroes Strike

Eight or ten state troopers were patrolling Haverstraw yesterday guarding against violence on the part of striking brick-yard employees. There are between 1,800 and 1,900 strikers, all negroes. Employers assert that only about 200 quit work voluntarily, the others being intimidated by the first group to go out.

One negro disputed the authority of a state trooper and is under arrest with a broken arm. That is the only casualty so far. Today is pay day at the plants and is regarded as a critical time. If the small body of troopers on duty maintains order their numbers probably will not be increased except in an emergency. Half a dozen troopers were sent from White Plains yesterday under command of Lieutenant James G. Hobart as reinforcements for those already on guard.

Trouble started Thursday. About 200 negroes, according to the employers, picked out that one brickyard armed themselves with sticks of cord wood and visited plant after plant, ordering the workmen to join them and cussing those who did not. The

no limit whatever to their choice. They can pick and choose from the very best in intelligence and sound judgment, that the City of New York with its 4,000,000 of people can supply.

"Each disputant will state his case, produce his witnesses, if any, and submit whatever documents are material. There will be no rules of evidence in this court to exclude testimony as 'irrelevant, immaterial and incompetent' and the like. Each disputant will tell his story in his own way, and the arbitrator, exercising common sense, will know what to consider and what to reject. It will be an honest, fair, common sense proceeding throughout—the sort of proceeding that one who has honest differences and honest purpose will desire."

"Disputants before this court will have no need to be represented by a lawyer. They will be permitted to have legal counsel at the hearings if they so desire, but this course will not be essential. There will be no room for the skillful maneuvering and eloquent arguments of legal counsel in this court. The facts alone will prevail as furnished by the disputants themselves in their own way and by their witnesses, unshackled by the legal rules, and considered by arbitrators who aim at simple justice without regard to legal technicalities."

A complete list of available arbitrators, willing to serve without compensation, will be made public at an early date, Mr. Grossman said. He added that no difficulty is being experienced in recruiting representative members of all professions and trades for this service. Some of them have already volunteered their services, he said.

The tribunal comes under the state arbitration law as amended in 1919. The court will hold its sessions night and day.

#### Two Oil Tanks Explode in Plant of "Chicago Tribune"

CHICAGO, May 12.—Several thousand persons blocked Michigan Boulevard to-night to watch a fire which followed the explosion of two forty-gallon tanks of kerosene in the stereotyping room in the basement of "The Chicago Tribune" plant.

The force of the blast blew several holes in the walls of the basement, but did no other damage to the building, the total loss being estimated at \$5,000 after the fire had been extinguished.

The publication of "The Tribune" was not interfered with. No one was hurt.

# Chicago Bomb Mill Raided In Labor War

(Continued from page one)

which was a rendezvous for labor slugs and conspirators, forfeited a \$50 bond and is missing. He had been held on a "disorderly" charge, admitted to bail and afterward indicted for murder.

The Chicago Association of Commerce held a special meeting to consider the crisis and pledged Chief Fitzmorris its hearty support and co-operation. Murphy and Mader, in custody of two guards, spurned the jail fare and dined publicly at a fashionable restaurant. Both are under indictment for murder, and Murphy is under a six-year sentence in a Federal prison for a \$350,000 mail robbery.

Bombs at play found dynamite under a Landis wage award building, with the fuse partly burned. Evidently the labor bombers had planned to destroy the building, but had been disturbed. It was the enforcement of the Landis award which started the bombing outrages.

The special grand jury heard evidence all day and will return several more indictments. Special efforts were made to rush to immediate trial the cases of Murphy, Mader and Shea, the "Big Three" of the labor oligarchy. Chief Justice Seaman indicated he will set the trials Monday and that they will be in full swing within thirty days.

No bail was permitted for the eight men indicted last night for murder.

Murphy, chief adviser to Mader and declared by Chief Fitzmorris to be the brains of the gang, was the organizer of the street sweeper's union and the gas workers' union. His affiliation with the building trades has been a mystery to the old-time labor leaders, as he has had no visible connection with any of the building unions. He is said to have engineered the election of Mader as president of the Building Trades Council, following the resignation of William Curran. The election of Mader was both a surprise and a shock to the delegates.

#### Police Plan More Raids

Murphy, by his own admission, is a two-fisted fighter, a "back of the yards" product and onetime member of the State Legislature. He was indicted for the murder of "Mosie" Enright, a rival labor leader, but there were many continuances, delays and finally the state's chief witnesses disappeared and he was acquitted. Later he was indicted and convicted of the Dearborn Street mail robbery and is now awaiting the result of an appeal from the six-year sentence.

"The time for talking has passed," said Mayor Thompson as he lighted from a New York train, refusing an interview. "We want action. Chief Fitzmorris has declared war and I am backing him to the last trench."

There were intimations at Police Headquarters to-night that there would be several more sweeping raids on labor headquarters and notorious resorts, where the sluggers and bombers meet to lay their plans. It also is certain that several more indictments will be returned.

"We shall hang these men," declared Assistant State's Attorney George Gorman. "I mean just that—we shall hang

them. This case has the same elements that the Haymarket riot cases had." Among the documents seized in the raid was one showing that the unions were building up an enormous defense fund for just such an emergency as the criminal leaders are now facing.

# Deep Cut Is Planned For Canadian Navy

## Only Three Vessels To Be Left on Each Coast for Training Purposes

OTTAWA, May 12.—The Canadian navy is to receive a drastic cut. G. B. Graham, Minister of Defense, this afternoon announced to the House the naval policy of the present government. It provides that five ships are to be laid up. These are the cruiser Aurora and the destroyers Patriot and Patrician, presented to Canada by Great Britain after the armistice. The other two ships are submarines. Canada's naval force will consist of

three vessels on each coast, to be used for training a volunteer force in protection of shores and harbors, minesweeping and mine laying. Mr. Graham emphasized that young men in the voluntary force would be taken out of industrial employment for two or three weeks each year over a period of three years, he said. This would also be fisheries protection services.

# O'Connor Denies Ship Board Is Aiding Strikers on Coast

WASHINGTON, May 12.—Continued. O'Connor, who handles the stevedoring work of the Gulf and South Atlantic ports, have agreed on a reduction in rates of all commodities. Commissioners T. J. O'Connor, of the Shipping Board, announced to-day.



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Navy Veldyne Coat, Embroidered Grey	175.	125.	
Black Crepe Wrap, with Fringe	185.	135.	
Grey Krinkle Crepe Coat, Platinum Fox Collar	210.	145.	
Cinnamon Duvetyn Cape	250.	150.	
Grey Duvetyn Wrap, Embroidered	225.	165.	
Javanese Duvetyn Coat	275.	175.	
Black Canton Crepe Coat, Monkey Collar	250.	185.	

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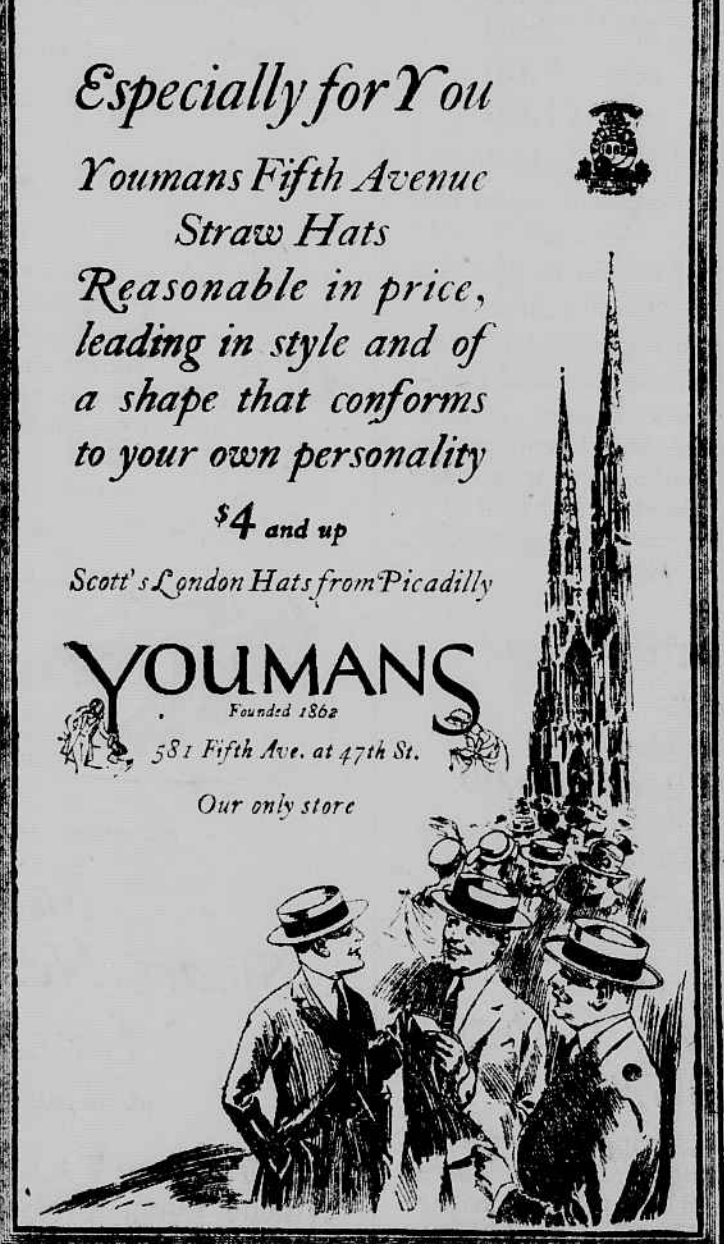
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